

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action
)	No. 13-10200-GAO
)	
DZHOKHAR A. TSARNAEV, also)	
known as Jahar Tsarni,)	
)	
Defendant.)	
)	

BEFORE THE HONORABLE GEORGE A. O'TOOLE, JR.
UNITED STATES DISTRICT JUDGE

JURY TRIAL - DAY SIXTY-ONE

John J. Moakley United States Courthouse
Courtroom No. 9
One Courthouse Way
Boston, Massachusetts 02210
Friday, May 15, 2015
8:36 a.m.

Marcia G. Patrisso, RMR, CRR
Official Court Reporter
John J. Moakley U.S. Courthouse
One Courthouse Way, Room 3510
Boston, Massachusetts 02210
(617) 737-8728

Mechanical Steno - Computer-Aided Transcript

1 APPEARANCES:

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8 - and -

9 UNITED STATES DEPARTMENT OF JUSTICE

10 By: Steven D. Mellin, Assistant U.S. Attorney
11 Capital Case Section

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14 On Behalf of the Government

15 FEDERAL PUBLIC DEFENDER OFFICE

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- and -

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On Behalf of the Defendant

P R O C E E D I N G S

THE CLERK: All rise for the Court and the jury.

(The Court and jury enter the courtroom at 8:36 a.m.)

THE CLERK: Be seated.

THE COURT: Good morning, jurors.

THE JURORS: Good morning, your Honor.

THE COURT: I again ask you, particularly the deliberating jurors, have you avoided any discussion of the case with anyone since we last were here?

THE JURORS: Yes.

THE COURT: Yes? And have you avoided the news coverage of this case?

THE JURORS: Yes.

THE COURT: Yes? Okay. Thank you.

Well, I will again record for the record that all deliberating jurors have returned and are prepared to continue their deliberations. As well, the alternates are all here as well. So we'll ask the deliberating jurors now to withdraw and continue your deliberations in the case.

THE CLERK: All rise for the Court and the jury.
Court will be in recess.

(The Court and jury exit the courtroom and the proceedings adjourned at 8:39 a.m.)

THE CLERK: All rise for the Court and the jury.

(The Court and jury enter the courtroom at 3:07 p.m.)

1 THE CLERK: Will everyone in the courtroom be seated.
2 Will the defense remain standing.

3 Madam foreperson, has the jury reached a verdict?

4 THE FOREPERSON: We have.

5 THE CLERK: May I have the envelope, please?

6 (Whereupon, the foreperson hands the envelope to the
7 clerk. The verdict is reviewed by the Court.)

8 THE COURT: You may announce the verdict.

9 THE CLERK: Thank you. In Criminal No. 13-10200, the
06:44 10 United States of America versus Dzhokhar Tsarnaev, penalty
11 phase verdict:

12 Section I. Age of the Defendant.

13 Number 1. Dzhokhar Tsarnaev was 18 years of age or
14 older at the time of the offense charged under the particular
15 capital count.

16 The jurors' answer: We unanimously find that this has
17 been proved beyond a reasonable doubt with regard to all of the
18 capital counts.

19 Section II. Gateway Factors.

06:45 20 Number 1. Dzhokhar Tsarnaev intentionally killed the
21 victim or victims of the particular capital count you are
22 considering.

23 The jurors' answer: We unanimously find that this
24 factor has been proved beyond a reasonable doubt only with
25 regard to the following capital counts. Identify each count by

1 count number. 1, 4, 5, 6, 9, 10, 14 and 15.

2 Gateway Factor No. 2: Dzhokhar Tsarnaev intentionally
3 inflicted serious bodily injury that resulted in the death of
4 the victim or victims of the particular capital count you are
5 considering.

6 The jurors' answer: We unanimously find that this
7 factor has been proved beyond a reasonable doubt only with
8 regard to the following capital counts. Identify each count by
9 count number. 1, 4, 5, 6, 9, 10, 14, 15.

06:46 10 Gateway Factor No. 3: Dzhokhar Tsarnaev intentionally
11 participated in an act contemplating that the life of a person
12 would be taken or intending that lethal force would be used in
13 connection with a person other than one of the participants in
14 the offense, and the victim or victims of the particular
15 capital count you are considering died as a direct result of
16 the act.

17 The jurors' answer: We unanimously find that this
18 factor has been proved beyond a reasonable doubt with regard to
19 all of the applicable capital counts.

06:47 20 Gateway Factor No. 4: Dzhokhar Tsarnaev intentionally
21 and specifically engaged in an act of violence knowing that the
22 act created a grave risk of death to a person other than one of
23 the participants in the offense such that participation in the
24 act constituted a reckless disregard for human life and the
25 victim or victims of the particular capital count you are

1 considering died as a direct result of the act.

2 The jurors' answer: We unanimously find that this
3 factor has been proved beyond a reasonable doubt with regard to
4 all of the applicable capital counts.

5 Section III. Statutory Aggravating Factors.

6 Statutory Aggravating Factor No. 1: The death and
7 injury resulting in death occurred during the commission and
8 attempted commission of and during the immediate flight from
9 the commission of an offense under:

06:48 10 A. 18 U.S.C. Section 2332a (use of a weapon of mass
11 destruction). This applies to all the capital counts; and/or.

12 B. 18 U.S.C. Section 844(i) (destruction of property
13 affecting interstate commerce by explosives). Only applies to
14 capital counts 1 through 10 and 12 through 15.

15 The jurors' answer: We unanimously find that this
16 factor has been proved beyond a reasonable doubt with regard to
17 all of the applicable capital counts.

18 Statutory Aggravating Factors No. 2: Dzhokhar
19 Tsarnaev knowingly created a grave risk of death to one or more
06:49 20 persons in addition to the victim of the offense in the
21 commission of the offense and in escaping apprehension for the
22 violation of the offense. This applies to all capital counts.

23 The jurors' answer: We unanimously find that this
24 factor has been proved beyond a reasonable doubt only with
25 regard to the following capital counts. And you have

1 identified each count by count number. 1, 4, 5, 6, 9, 10, 14,
2 15, 16, 17, and 18.

3 Statutory Aggravating Factor No. 3: Dzhokhar Tsarnaev
4 committed the offense in an especially heinous, cruel and
5 depraved manner in that it involved serious physical abuse to
6 the victim. This applies only to capital counts 1 through 10
7 and 12 through 15.

8 The jurors' answer: We unanimously find that this
9 factor has been proved beyond a reasonable doubt only with
06:50 10 regard to the following capital counts. And you have
11 identified each count by count number. 1, 4, 5, 6, 9, 10, 14,
12 15.

13 Statutory Aggravating Factor No. 4: Dzhokhar Tsarnaev
14 committed the offense after substantial planning and
15 premeditation to cause the death of a person and commit an act
16 of terrorism. This only applies to capital counts 1 through 10
17 and 12 through 15.

18 The jurors' answer: We unanimously find that this
19 factor has been proved beyond a reasonable doubt with regard to
06:50 20 all of the applicable capital counts.

21 Statutory Aggravating Factor No. 5: Dzhokhar Tsarnaev
22 intentionally killed and attempted to kill more than one person
23 in a single criminal episode. This applies only to capital
24 counts 1 through 10 and 12 through 15.

25 The jurors' answer: We unanimously find that this

1 factor has been proved beyond a reasonable doubt with regard to
2 all of the applicable capital counts.

3 Statutory Aggravating Factor No. 6: Dzhokhar Tsarnaev
4 is responsible for the death of a victim, Martin Richard, who
5 was particularly vulnerable due to the youth. Only applies to
6 capital counts 1, 4, 5, 6, 9, 10, 14 and 15.

7 The jurors' answer: We unanimously find that this
8 factor has been proved beyond a reasonable doubt with regard to
9 all of the applicable capital counts.

06:52 10 Section 4. Non-Statutory Aggravating Factors.

11 Non-Statutory Aggravating Factor No. 1: In
12 conjunction with committing acts of violence and terrorism,
13 Dzhokhar Tsarnaev made statements suggesting that others would
14 be justified in committing additional acts of violence and
15 terrorism against the United States. This applies to all of
16 the capital counts.

17 The jurors' answer: We do not unanimously find that
18 this factor has been proved beyond a reasonable doubt with
19 regard to any of the applicable capital counts.

06:53 20 Non-Statutory Aggravating Factor No. 2: Dzhokhar
21 Tsarnaev caused injury, harm and loss to Krystle Marie Campbell
22 and her family and friends. This only applies to capital
23 counts 1, 2, 3, 6, 7, 8, 12 and 13;

24 Martin Richard and his family and friends. This only
25 applies to capital counts 1, 4, 5, 6, 9, 10, 14 and 15;

1 Lingzi Lu and her family and friends. Only applies to
2 capital counts 1, 4, 5, 6, 9, 10, 14 and 15;

3 and/or Officer Sean Collier and his family and
4 friends. This only applies to capital counts 1, 6, 16, 17 and
5 18.

6 The jurors' answer: We unanimously find that this
7 factor has been proved beyond a reasonable doubt with regard to
8 all of the applicable capital counts.

9 Non-Statutory Aggravating Factor No. 3: Dzhokhar
06:54 10 Tsarnaev targeted the Boston Marathon, an iconic event that
11 draws large crowds of men, women and children to its final
12 stretch, making it especially susceptible to the act and
13 effects of terrorism. This only applies to capital counts 1
14 through 10 and 12 through 15.

15 The jurors' answer: We unanimously find that this
16 factor has been proved beyond a reasonable doubt with regard to
17 all of the applicable capital counts.

18 Non-Statutory Aggravating Factors No. 4: Dzhokhar
19 Tsarnaev demonstrated a lack of remorse. This applies to all
06:55 20 capital counts.

21 The jurors' answer: We unanimously find that this
22 factor has been proved beyond a reasonable doubt with regard to
23 all of the applicable capital counts.

24 Non-Statutory Aggravating Factor No. 5: Dzhokhar
25 Tsarnaev murdered Officer Sean Collier, a law enforcement

1 officer who was engaged in the performance of his official
2 duties at the time of his death. This only applies to capital
3 counts 1, 6, 16, 17 and 18.

4 The jurors' answer: We unanimously find that this
5 factor has been proved beyond a reasonable doubt with regard to
6 all of the applicable capital counts.

7 Non-Statutory Aggravating Factor No. 6: Dzhokhar
8 Tsarnaev participated in additional uncharged crimes of
9 violence, including assault with a dangerous weapon, assault
06:56 10 with intent to maim, mayhem and attempted murder:

11 A. On April 15, 2013, in Boston, Massachusetts. This
12 only applies to capital counts 1 through 10 and 12 through 15.

13 B. On or about April 19, 2013, in Watertown,
14 Massachusetts. Applies to all capital counts.

15 The jurors' answer: We unanimously find that this
16 factor has been proved beyond a reasonable doubt with regard to
17 all of the applicable capital counts.

18 Section V. Mitigating Factors.

19 Mitigating Factor No. 1: Dzhokhar Tsarnaev was 19
06:57 20 years old at the time of the offenses.

21 The number of jurors who so find: 12.

22 Mitigating Factor No. 2: Dzhokhar Tsarnaev had no
23 prior history of violent behavior.

24 Number of jurors who so find: 11.

25 Mitigating Factor No. 3: Dzhokhar Tsarnaev acted

1 under the influence of his older brother.

2 The number of jurors who so find: Three.

3 Mitigating Factor No. 4: Whether because of
4 Tamerlan's age, size, aggressiveness, domineering personality,
5 privilege status in the family, traditional authority as the
6 eldest brother, or other reasons, Dzhokhar Tsarnaev was
7 particularly susceptible to his older brother's influence.

8 Number of jurors who so find: Three.

9 Mitigating Factor No. 5: Dzhokhar Tsarnaev's brother
06:58 10 Tamerlan planned, led and directed the marathon bombing.

11 Number of jurors who so find: Three.

12 Mitigating Factor No. 6: Dzhokhar Tsarnaev's brother
13 Tamerlan was the person who shot and killed Officer Sean
14 Collier.

15 Number of jurors who so find: Two.

16 Mitigating Factor No. 7: Dzhokhar Tsarnaev would not
17 have committed the crimes but for his older brother Tamerlan.

18 Number of jurors who so find: Three.

19 Mitigating Factor No. 8: Dzhokhar Tsarnaev's teachers
06:59 20 in elementary school, middle school and high school knew him to
21 be hard working, respectful, kind and considerate.

22 Number of jurors who so find: 12.

23 Mitigating Factor No. 9: Dzhokhar Tsarnaev's friends
24 in high school and college knew him to be thoughtful, caring
25 and respectful of the rights and feelings of others.

1 Number of jurors who so find: 11.

2 Mitigating Factor No. 10: Dzhokhar Tsarnaev's
3 teachers and friends still care for him.

4 Number of jurors who so find: Three.

5 Mitigating Factor No. 11: Dzhokhar Tsarnaev's aunts
6 and cousins love and care for him.

7 Number of jurors who so find: 12.

8 Mitigating Factor No. 12: Mental illness and brain
9 damage disabled Dzhokhar Tsarnaev's father.

07:00 10 Number of jurors who so find: 12.

11 Mitigating Factor No. 13: Dzhokhar Tsarnaev was
12 deprived of needed stability and guidance during his
13 adolescence by his father's mental illness and brain damage.

14 Number of jurors who so find: Two.

15 Mitigating Factor No. 14: Dzhokhar Tsarnaev's
16 father's illness and disability made Tamerlan the dominant male
17 figure in Dzhokhar's life.

18 Number of jurors who so find: Two.

19 Mitigating Factor No. 15: Dzhokhar Tsarnaev was
07:00 20 deprived of the stability and guidance he needed during his
21 adolescence due to his mother's emotional volatility and
22 religious extremism.

23 Number of jurors who so find: One.

24 Mitigating Factor No. 16: Dzhokhar Tsarnaev's mother
25 facilitated his brother Tamerlan's radicalization.

1 Number of jurors who so find: Ten.

2 Mitigating Factor No. 17: Tamerlan Tsarnaev became
3 radicalized first, and then encouraged his younger brother to
4 follow him.

5 Number of jurors who so find: Five.

6 Mitigating Factor No. 18: Dzhokhar Tsarnaev's parents
7 return to Russia in 2012 made Tamerlan the dominant adult in
8 Dzhokhar's life.

9 Number of jurors who so find: Two.

07:01 10 Mitigating Factor No. 19: Dzhokhar Tsarnaev is highly
11 unlikely to commit, incite or facilitate any acts of violence
12 in the future while serving a life-without-release sentence in
13 federal custody.

14 Number of jurors who so find: One.

15 Mitigating Factor No. 20: The government has the
16 power to severely restrict Dzhokhar Tsarnaev's communications
17 with the outside world.

18 Number of jurors who so find: Two.

19 Mitigating Factor No. 21: Dzhokhar Tsarnaev has
07:02 20 expressed sorrow and remorse for what he did and for the
21 suffering he caused.

22 Number of jurors who so find: Two.

23 And the jurors have found no further mitigating
24 factors.

25 Section VI. Determination of Sentence.

1 Based upon consideration of whether the aggravating
2 factor or factors found to exist for each count sufficiently
3 outweigh the mitigating factor or factors found to exist for
4 that count to justify a sentence of death or, in the absence of
5 a mitigating factor, whether the aggravating factor or factors
6 alone are sufficient to justify a sentence of death.

7 The jurors' answer: We, the jury, unanimously find
8 for some of the capital counts that the aggravating factor or
9 factors found to exist sufficiently outweigh the mitigating
07:03 10 factor or factors found to exist or, in the absence of any
11 mitigating factors, that the aggravating factor or factors are
12 themselves sufficient so that death is the appropriate sentence
13 for Dzhokhar Tsarnaev with regard to each of the following
14 capital counts only. You identify each count by the count
15 number. 4, 5, 9, 10, 14, 15.

16 THE COURT: Read the last sentence of that section.

17 THE CLERK: With regard to the above listed counts, we
18 vote unanimously that Dzhokhar Tsarnaev shall be sentenced to
19 death as to each count.

07:04 20 Madam foreperson, is that your verdict?

21 THE FOREPERSON: Yes, it is.

22 THE CLERK: And so say you all?

23 THE JURORS: Yes.

24 THE COURT: All right. The certificates are in order.

25 Jurors and defense counsel and defendant, please be

1 seated for a moment.

2 Jurors, with your verdict, your service as jurors in
3 this case has come to an end. I want to thank you for your
4 service.

5 MR. BRUCK: If your Honor please, we would request
6 that the jury be polled prior to the Court's remarks.

7 THE COURT: All right. We would ask the jurors to
8 rise.

9 THE CLERK: Jurors, please rise.

07:05 10 Juror No. 1, you have heard me give the verdict as
11 recorded. Is that your verdict?

12 JUROR NO. 1: Yes, it is.

13 THE CLERK: And Juror No. 2?

14 JUROR NO. 2: Yes.

15 THE CLERK: And Juror No. 3?

16 JUROR NO. 3: Yes.

17 THE CLERK: And Juror No. 4?

18 JUROR NO. 4: Yes.

19 THE CLERK: And Juror No. 5?

07:05 20 JUROR NO. 5: Yes.

21 THE CLERK: And Juror No. 6?

22 JUROR NO. 6: Yes.

23 THE CLERK: And Juror No. 7?

24 JUROR NO. 7: Yes.

25 THE CLERK: And Juror No. 8?

1 JUROR NO. 8: Yes.

2 THE CLERK: And Juror No. 9?

3 JUROR NO. 9: Yes.

4 THE CLERK: And Juror No. 10?

5 JUROR NO. 10: Yes.

6 THE CLERK: Juror No. 11?

7 JUROR NO. 11: Yes.

8 THE CLERK: And Juror No. 12?

9 JUROR NO. 12: Yes.

07:06 10 THE CLERK: The jury is polled, your Honor.

11 THE COURT: All right. Have a seat again.

12 So, as I was saying, I want to thank you for your
13 service. And I express that thanks not only on my own behalf,
14 which I do sincerely, but more importantly, on behalf of the
15 citizens of Massachusetts whom you represent for the purposes
16 of this trial.

17 We ask of our fellow citizens active engagement and
18 participation in the work of self-government. In particular,
19 we ask our fellow citizens to participate in administering
07:06 20 justice fairly and impartially by sitting as trial jurors. We
21 asked of you the important and difficult task of judging the
22 evidence in this case and of rendering a just verdict guided by
23 your best judgment.

24 I want especially to commend the alternate jurors.
25 After all the time and attention you gave in listening to the

1 evidence, you learned that you would not be part of the
2 decision. That must be frustrating. Perhaps it is a relief.
3 In any event, it is necessary to have alternates available, and
4 your service has been just as vital to the process as that of
5 the deliberating jurors.

6 The inconvenience to all of you in serving on this
7 case has been considerable, yet you have each borne that
8 inconvenience with grace and understanding. The seriousness
9 and responsibility with which you have performed your service
07:07 10 as jurors should stand as a model for future juries.

11 Abraham Lincoln once said, "There is no grievance that
12 is a fit object for redress by mob law." Your service as
13 jurors in this case has been the very antithesis of mob law.
14 The issues have been thoroughly presented to you, and you have
15 thoughtfully resolved them. Obviously, the facts and
16 circumstances of this case arouse powerful emotions, but on
17 behalf of a community seriously aggrieved, you have
18 demonstrated convincingly that even in such circumstances, men
19 and women of honesty and goodwill can set aside emotions and
07:08 20 make careful, rational and solemn judgments about guilt or
21 innocence and life or death. You can, you should, be justly
22 proud of your service in this case.

23 Let me address a couple of practical matters. You are
24 well aware of my instructions to avoid any reports in the media
25 about this case. The media and the members of the general

1 public attending this trial have been under similar
2 instructions to refrain from attempting in any way to contact
3 or interact with you at any time during the trial.
4 Additionally, they're prevented from revealing your names and
5 depicting you by photograph or sketch.

6 I imposed these rules to help you focus on the issues
7 before you and the evidence you've heard in the courtroom
8 without being distracted or potentially influenced by anything
9 that might take place outside the courtroom. From my
07:09 10 understanding, the media and the public have abided by these
11 instructions, and I thank them for helping maintain the
12 integrity of the proceedings by doing so.

13 Until now your names and places of residence have not
14 been made public, and you have been identified through the
15 process only by your juror number. Under applicable law,
16 because your service in the case is now completed, we can no
17 longer refrain from identifying you.

18 The courts have recognized that in a democracy,
19 criminal trials should not as a general rule be decided by
07:10 20 juries that remain anonymous, so your names and towns and
21 cities of residence will eventually be made public. That will
22 not happen immediately, but it will likely happen in the
23 relatively near future.

24 Additionally, at some point redacted versions of your
25 juror questionnaire will likely be made public. Strictly

1 private personal information will be redacted, and that will
2 likely take some time, but answers such as your views about the
3 death penalty, for example, will become public. We will notify
4 you before that occurs.

5 Second, it is likely that people will want to talk
6 with you now about your service as jurors in the case including
7 media representatives. You are now free to talk with your
8 family and friends about the case and your experience in jury
9 service. You're also free to answer media questions, if you
07:11 10 wish.

11 You should understand that whether to answer media
12 questions is entirely your call. You have no obligation to do
13 so. You may politely decline by simply saying, "No comment."
14 If, after you have indicated that you do not wish to comment,
15 anyone persists in a way that makes you uncomfortable, please
16 contact our jury administrator, and he will assist you.

17 On a related point, under the law of this circuit, the
18 parties and their attorneys and other agents may not approach
19 you to talk with you about your service without prior express
07:11 20 permission from me.

21 For anyone who does make the decision to speak
22 publicly about the case, I would ask you to keep in mind your
23 fellow jurors and the experience you have shared. You have
24 traveled together and eaten together. It may not be too much
25 to say that you have formed some friendships. You've sat

1 through a long trial together that involved at times terrible
2 images and poignant testimony. The deliberating jurors have
3 spent days in undoubtedly intense discussions with each other
4 to determine not only whether Mr. Tsarnaev was responsible for
5 the crimes charged by the government, but also whether he
6 should live or die.

7 I ask you that you respect each other and the process
8 of your decision-making as you consider whether to discuss the
9 case publicly. There is a reason that jury deliberations are
07:12 10 conducted in secret. Secrecy encourages the most frank
11 discussion of the issues. For this reason, secrecy of
12 deliberations is a hallmark of the jury system. It is why you
13 deliberate in the jury room alone without any court personnel;
14 why you have been asked to seal your partially completed or
15 completed verdict slip at the end of each day; and why a member
16 of the clerk's office will now shred your juror notebooks and
17 any of the notes you've made now that you've rendered your
18 verdict.

19 It is not unreasonable for jurors to expect that what
07:13 20 they say in deliberations will be held in confidence by their
21 fellow jurors. And there are implications beyond this case.
22 Future jurors in future cases should be able to enter into
23 service with the confidence that what they say in private
24 deliberations will remain private.

25 Regarding this concern, the Supreme Court of the

1 United States has said: "Freedom of debate might be stifled
2 and independence of thought checked if jurors were made to feel
3 that their arguments and ballots were to be freely published to
4 the world." I ask that you keep those considerations in mind
5 in deciding whether to speak publicly about the case, and
6 specifically, about the substance of private jury discussions.

7 Let me also make a suggestion for you to consider if
8 you decide to discuss the case publicly. You could decide not
9 only whether to talk about it, but also when to do so. Even if
07:14 10 you are willing to discuss the case publicly, you should
11 consider whether it would be better even from your own point of
12 view to take some time to let your experience settle in so that
13 you have an opportunity to compose your thoughts as to any
14 questions that might be asked rather than speaking more or less
15 off the cuff or on the spur of the moment.

16 Before we recess, I would like to commend all the
17 attorneys in this matter. As we should expect, their advocacy
18 has been both zealous and skillful, and they've conducted
19 themselves with the highest degree of professionalism and
07:15 20 civility in a difficult case under intense scrutiny. I also
21 acknowledge that the defendant, Mr. Tsarnaev, has comported
22 himself with composure and propriety in the courtroom, both in
23 and outside the presence of the jury and the public.

24 Finally, I address the representatives of the media
25 and the members of the public who have come to watch and report

1 on the proceedings. Some of you have come for yourselves, some
2 have come for others. Still others have come to share with the
3 world what has been happening within this trial courtroom. We
4 appreciate your respectful presence and your understanding of
5 the solemnity of these proceedings. I also must note with
6 respect to our daily scheduling that justice is not always
7 swift, nor should it be, and I appreciate your enduring
8 patience.

9 And so, jurors, that's it. You are now discharged.

07:16 10 All in this courtroom will rise once more as a sign of respect
11 for your service in this case as you withdraw to the jury room
12 for the last time.

13 Please rise.

14 THE CLERK: Please rise for the jury.

15 (The jury exits the courtroom at 3:41 p.m.)

16 THE COURT: The defendant is remanded to the custody
17 of the marshal. We will stand in recess. We will probably set
18 a status conference in the near future to discuss future
19 proceedings.

07:17 20 We'll be in recess.

21 THE CLERK: Court will be in recess.

22 (The proceedings adjourned at 3:42 p.m.)
23
24
25

C E R T I F I C A T E

I, Marcia G. Patrisso, RMR, CRR, Official Reporter of the United States District Court, do hereby certify that the foregoing transcript constitutes, to the best of my skill and ability, a true and accurate transcription of my stenotype notes taken in the matter of Criminal Action No. 13-10200-GAO, United States of America v. Dzhokhar A. Tsarnaev.

/s/ Marcia G. Patrisso
MARCIA G. PATRISSE, RMR, CRR
Official Court Reporter

Date: 5/10/16